FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2033 OF 2005

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders.	Court's or Judge's Orders

Mr. Mihir Desai for the petitioner.

Mr. H.V. Mehta, Public Prosecutor for Union of India.

Mr. Y.S. Shinde, A.P.P. for the State.

CORAM: SMT. RANJANA DESAI & ANOOP V. MOHTA, JJ.

DATED: 5TH OCTOBER, 2005.

P.C.:-

Heard the learned counsel for the parties.

Our attention has been drawn by Mr. Mehta, the learned counsel appearing for the Union of India to a letter dated 3/2/2005 addressed by the United Nations High Commissioner for Refugees to the petitioner stating as follows:

"In case you submit a written appeal request, your appeal request will be considered by our Office, and, your case will be reviewed. You will receive a reply from the office notifying you with the decision related to your appeal request within 30 days of submission of your appeal request. Please note that decisions on appeal applications is primarily based on file review and that there is no automatic scheduling for appeal interview. You will be contacted for an appeal interview only if our office deems it a necessary requirement for your case review."

There is no dispute about the fact that the petitioner has, in fact, filed an appeal to the United Nations High Commissioner for Refugees. A copy of said appeal is annexed as Ex-E to the present petition. In the circumstances, in our opinion, the following order will meet the ends of justice.

O R D E R

The United Nations High Commissioner for Refugees is directed to hear and dispose of the appeal filed by the petitioner, which is pending before it, dated 20/2/2005 within a period of one month from the date of receipt of this order by it. For the said period of one month and two weeks thereafter, the respondents shall not deport the petitioner. This order is passed without going into the merits of the petition.

The petition is disposed of in the aforestated terms.

(SMT. RANJANA DESAI, J.)

(ANOOP V. MOHTA)